

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 29, 1954
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by REV. EDWARD V. LONG, Pastor of St. Martin's Evangelical Lutheran Church.

Councilman White moved that the Minutes of April 22nd be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. James Gault has made application in writing for permission to use and maintain in her residence a day nursery complying with all City and State regulations, on Lot 17, Block 28, Rosedale G, in the City of Austin, Travis County, Texas, the same being on the East side of Shoalwood Avenue and locally known as 4607 Shoalwood Avenue, which property is located in an "A" Residence District and under Section #4, Item 13a of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of a day nursery at the

location described above be granted to Mrs. James Gault.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council had before it the application of MRS. JOHN W. ZEWINER, 917 East 48th Street for a day nursery. Action was deferred on this application as the Council wanted to make a personal inspection of the area.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON LOTS 3 AND 4, BLOCK 2, OUTLOT 17, DIVISION "C", W. P. CONNELLY SUBDIVESION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Webb Connelly has made application in writing for permission to rent his property to be used for a rest home complying with all City and State regulations on Lot 3 and 4, Block 2, W. P. Connelly Subdivision, of the Original City of Austin, Travis County, Texas, being located on the west side of Connelly Street, and located at 4606 Connelly Street, which property is located in a "B" Residence District, and under Section #5, Item #6, of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of this building as a rest home at the above described address be granted to Webb Connelly.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council had before it for further consideration the following zoning application:

J. H. BERRYMAN

5213-15 Avenue F &
201-03 East 53rd St.

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission

The Mayor asked that those who wished to uphold the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, White, Mayor McAden
Noes: Councilmen Pearson, Thompson

The Mayor announced that the requested change had been granted and the City Attorney was instructed to draw the necessary ordinance.

The City Manager submitted the following:

"28 April 1954.

"TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF AUSTIN:

"Travis Post No. 76, American Legion, hereby presents its annual request

to the City Council for its sanction and approval of the Fourth of July Celebration at Zilker Park under the joint sponsorship of the City Recreation Department and Travis Post No. 76.

"This celebration was first held some twenty-five years ago at the request of the City Recreation Department, and has been continued from year to year down to the present time. Our assistance was requested, for the reason that the City Recreation Department had neither the personnel nor the funds available for a project as large as this has been.

"The Director of the City Recreation Department has again requested our cooperation with his department, and we feel that our long association with the Recreation Department in sponsoring this celebration has placed an obligation on the American Legion to continue with it in the future, and we therefore request the approval of the City Council for this Fourth of July, as such approval has been granted in the past.

"Respectfully,
/s/ W. E. Lewis
Adjutant-Finance Officer,
Post #76, American Legion."

Councilman Long moved that the Council grant the American Legion the permission as requested. The motion was seconded by Councilman White.

Councilman Thompson moved that the motion be amended to require the American Legion to provide the proper insurance. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Roll call on the original motion as amended showed the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT ON LOT 11, BLOCK 4, OUTLOT 44, DIVISION "B", GAMMEL & TAYLOR ADDITION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE

READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON A PORTION OF LOTS 1 AND 7, AND ALL OF LOTS 9, 25 AND 26, STAEHEL AND WENDLANDT SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, Mayor McAden
Noes: Councilmen Pearson, White

The City Manager submitted the following memorandum from C. G. Levander, Director of Public Works, dated April 26, 1954 regarding the purchase of Athey Loader:

"The Purchasing Agent received bids on April 19th for the purchase of a self-propelled force feed type belt conveyor windrow loader. The following bids were received:

"Ingram Equipment Company - San Antonio, Texas

Pettibone-Mulliken	Base Bid	-	\$10,155.00
	Alternate #1	-	10,393.50
	Alternate #2	-	11,343.00
	Alternate #3	-	11,581.50

Wm. K. Holt Machinery Company - Austin, Texas

Athey Loader	-	\$10,339.00
--------------	---	-------------

Closner Equipment Company - San Antonio, Texas

Barber-Greene	-	\$ 6,117.00
---------------	---	-------------

"I recommend that we purchase this equipment from the Wm. K. Holt Machinery Company on their bid of \$10,339.00.

"In explanation of my recommendations, I would like to present the following information: Our specifications were built around the Athey Loader which has a capacity of 10 cubic yards per minute. We have had one of these Athey Loaders in our Street and Bridge Division for the past eleven years and it has given excellent service.

"The Pettibone-Mulliken Loader has a capacity of 8 cubic yards per minute and although I am sure it is a good machine, it is smaller than the Athey Loader.

"The Barber-Greene machine has a capacity of only 4 cubic yards per minute. It is a newly developed product and Mr. Closner told me that to date he had not sold any of these machines in the State of Texas.

"The Athey Loader with its larger capacity will out-perform these other machines; also the Wm. K. Holt Machinery Company is a local concern carrying a stock of parts available for quick service in case of a breakdown."

Discussion was held in which Councilman White stated he was opposed to getting bids from people and then turning them down when they submitted the low bid; that if they did not want to buy their equipment, they should not let them bid. The Director of Public Works explained his recommendation in that the capacity of this machine was larger; and the difference in price was so little, and the Company had a local plant here.

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on April 19, 1954, the City of Austin received bids for the

purchase of a self-propelled force feed type belt conveyor windrow loader; and,

WHEREAS, an evaluation of the bids received for such equipment shows the bid of Wm. K. Holt Machinery Company of Austin, Texas, in the amount of \$10,339.00, for the 10-cubic yard Athey Loader, to be the best bid; and,

WHEREAS, said Athey Loader meets the requirements of the approved specifications, and acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said bid of Wm. K. Holt Machinery Company of Austin, Texas, in the sum of \$10,339.00 be and the same is hereby accepted, and W. E. Seaholm, City Manager, is hereby authorized to purchase such equipment.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, Mayor McAden

Noes: Councilman White*

*Councilman White made the following statement regarding his vote: "I just can't go for that. It will come to the point when we will not get anybody to bid if this keeps up."

Pursuant to published notice a public hearing was held on Skip Paving Program - Newfield Lane, Bremen Street, West 24th Street, West 5th Street and Neches Street - at 10:30 o'clock. The City Attorney announced that the hearing was to consider the proposed assessment of certain property for the paving of streets fronting the property. The notice was published in the American-Statesman on April 18th, 25th, and American and Statesman on April 26th. The Assistant Director of Public Works explained the type of paving to be used on the various streets, the types to follow the paving that was already in place. He explained the method of payment, and stated the City participated 10% of the total cost. No one appeared to be heard in this matter. Councilman Long moved that the hearing be closed and the City Manager requested to prepare the necessary documents. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin received and opened bids on April 27, 1954, at 2 P.M. on the sale of certain buildings on property purchased for the Interregional Highway Right-of-Way; and

WHEREAS, W. W. Knappe submitted the highest and best bid in the amount of \$1450.00 on the building located at 1010 Harper Lane; and

WHEREAS, Charles E. Carlow submitted the highest and best bid in the amount of \$928.28 on the building located at 1006 Harper Lane; and

WHEREAS, Otho B. Warren submitted the highest and best bid in the amount of \$2,000.00 on the building located at 1013 Harper Lane; and

WHEREAS, Harry B. H. Ng submitted the highest and best bid in the amount of \$2,450.12 on the building located at 1011 Harper Lane; and

WHEREAS, Charles E. Carlow submitted the highest and best bid in the amount of \$1,828.28 on the building located at 1007 Harper Lane; and

WHEREAS, the Director of Public Works and the City Manager have recommended the sale of such buildings to said bidders; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said bids be and the same are hereby accepted and W. E. Seaholm, City Manager, is hereby authorized and directed to execute contracts of sale for said buildings at the above described locations with said bidders.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Thompson inquired as to the length of time it would be before this Interregional project were finished and that it would be known the amount of money available for paving. The City Manager thought within the next 30-45 days there would be some idea.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Highland Park West Development Company in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under WATER MAIN EXTENSIONS - Contract File No.)

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
ENTER INTO A CERTAIN CONTRACT WITH JOHN C.

CHERNOSKY; PROVIDING FOR THE APPROPRIATION OF
MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH
CONTRACT AND DELCARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on February 7, 1950, Leonidez Hernandez entered into a contract with the City of Austin to purchase the hereinafter described property for the total sum of Five Hundred Fifty Dollars (\$550.00); and,

WHEREAS, said total consideration has now been paid to the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager be and he is hereby authorized and directed to execute a deed on behalf of the City of Austin, conveying to Leonidez Hernandez, for and in consideration of the payment by the said Leonidez Hernandez to the City of Austin of the total sum of Five Hundred Fifty (\$550.00) Dollars, 1525 square feet of land, same being out of and a part of Lot 25 of Paul Simms Addition, a subdivision of Outlot 22, Division A, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, said Lot 25 having been conveyed to the City of Austin by deed dated February 20, 1947, of record in Volume 843 at page 219 of the Deed Records of Travis County, Texas, which 1525 square feet of land is that portion of said Lot 25 lying north of the north line of East 7th Street.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, The Austin Glass Company is the contractor for the alteration of a building located at 2346 Guadalupe Street and desires a portion of the sidewalk and street space abutting the south 60 feet of Lot 35, Outlot 36, Division D, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to the said Austin Glass Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles to the centerline; thence in a northerly direction and parallel with the centerline of Guadalupe Street approximately 20 feet to a point; thence in a westerly direction and at right angles to the centerline of Guadalupe Street to the east line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Austin Glass Company, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct in the alley a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored. (The Contractor will also be permitted to use 1 parking meter space immediately in front of the entrance in the barricade for the delivery or removal of materials during construction work.)

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(3) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than May 23, 1954.

(6) That the City reserves the right to revoke at any time any and all

the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(7) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(8) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00)., which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in BLUFF STREET, from a point 99 feet west of South Lamar Boulevard westerly 99 feet, the centerline of which gas main shall be 8.5 feet north of and parallel to the south property line of said BLUFF STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in NORTHEAST DRIVE, from a point 93 feet east of Arnold Drive easterly 1224 feet, the centerline of which gas main shall be 6.5 feet south of and parallel

to the north property line of said NORTHEAST DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in VIOITHA DRIVE, across Northeast Drive intersection, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said VIOITHA DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in JACK COOK DRIVE, across Northeast Drive intersection, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said JACK COOK DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain public utility and drainage easements were reserved and dedicated to the public on a map or plat of Highland Park West, a subdivision of a portion of the Daniel J. Gilbert Survey, the C. J. Strother Survey

and the Albert Sillsbe Survey, in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at page 299, Plat Records of Travis County, Texas; and,

WHEREAS, the hereinafter described portions of such easements are not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the hereinafter described portions of such public utility and drainage easements, to wit:

- (1) The south five (5) feet of the west 135.12 feet of Lot 8 of Block P of Highland Park West;
- (2) The north five (5) feet of the west 135.12 feet of Lot 9 of Block P of Highland Park West.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council postponed the following zoning hearing until May 6th:

MRS. MARY JABOUR

3207-11 East Avenue

From "A" Residence
1st Height & Area
To "C" Commercial
6th Height & Area
NOT Recommended by the
Planning Commission

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Western Union Telegraph Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telegraph conduits in the streets in the City of Austin hereafter named, and said maps or plans have considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Western Union Telegraph Company be and the same is hereby permitted to construct its underground telegraph conduits in the following streets:

- (1) An underground telegraph conduit in BRAZOS STREET, across East 7th Street intersection from existing manhole 25 feet west of the centerline of Brazos Street 27 feet south of the centerline of East 7th Street northwesterly approximately 56 feet to existing duct in north curb of East 7th Street at the west property line

of said BRAZOS STREET.

(2) An underground telegraph conduit in BRAZOS STREET from the north curb line of East 7th Street northerly approximately 10 feet to building. Conduit to be on west property line of BRAZOS STREET.

THAT the work and construction of said underground telegraph conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telegraph conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager asked the Council to authorize the replacement of the current fund money that had been used for the water plant; and that it be paid out of the Water Bond Fund. He stated it was set up in the budget out of current funds. A formal budget proposition would be furnished. Councilman Long moved that the City Manager be instructed to pay the new water plant improvements at Mount Bonnell out of the WaterBond Money. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Mayor McAden asked the Council to consider improving the Congress Avenue Bridge, as it was in a bad state of repair and unsightly; and was the entrance to our State Capitol for those approaching from the south. Councilman White was in favor of this improvement, and suggested metal rails along the sides and raising the sidewalk. Councilman Thompson was not in favor of spending \$40,000 or \$50,000 dollars for just improving the appearance of the bridge, when there might be a more urgent need elsewhere for this money. Councilman Long felt the improvement of the bridge would help maintain the downtown values. Councilman Pearson, having just discussed highway matters with MR. ELI THORNTON, thought the safety angle of the bridge's improvement was highly important and that in elevating the sidewalks and giving more space to traffic there would be less danger of traffic deaths. The City Manager explained some of the plans and studies that had been made. He stated the elevation of the sidewalks would give a few feet extra for traffic lanes; the concrete rails take up three feet, and the substitution of metal rails would reduce that to one foot; the sidewalk now overhangs, and there are two gas lines that should be moved. Councilman Long moved that the City Manager be asked to bring in a recommendation for face lifting and improving the Congress Avenue Bridge along the lines discussed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long stated that on January 31, 1953, the Charter was revised, and one revision directed the Council to set up a Master Plan. The people were urging the City to carry out the master plan, and she wanted to go on record as favoring setting up the \$45,000, if that was what it took, to carry out the Master Plan, and that she thought the money should be made available as soon as possible. The Mayor suggested the inclusion in next year's budget the money. Councilman Thompson suggested, since the Charter directed the Council to set up a Master Plan, that the Council study that plan and proceed; that it might be possible to do it for less money. Councilman White too was anxious to carry out the mandate of the people, but he suggested whittling down the amount of money. Councilman Pearson believed this could be accomplished by setting it up within the Planning Department on a very small budget, and suggested listening to the Planning Commission recommendation. No action was taken at this meeting, and it was the thought to consider it again after the Financial statement and Auditor's report were received.

MR. TRUEMAN E. O'QUINN submitted a proposition for purchasing the 50' easement next to the Mount Vernon Courts, Ltd. Councilman White moved that the City Manager be authorized to convey to the Mount Vernon Motor Courts, Ltd., a partnership, such portion of the property abutting the north boundary of the Mount Vernon Motor Courts, Ltd., and lying west of a line 50' from and parallel to or concentric with the west ROW line of the Llano Branch of the Houston and Texas Central Railroad for the consideration of \$5,000.00 and further subject to the drainage condition formerly imposed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long commended the City Manager on his part in the City Managers Association, and the Mayor announced that the whole Council concurred in this, as the meeting was a very nice affair.

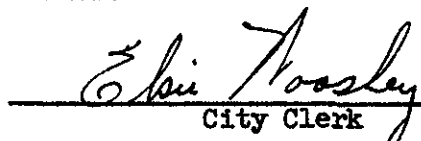
The Mayor called a meeting Tuesday at 2:00 P.M. for the purpose of meeting with the Auditorium Committee, and going over the pending list, and discussing the proposals for an administration survey.

There being no further business the Council adjourned at 12:15 P.M. subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk